

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CHARLES HOLBROOK,
Petitioner

v.

STATE OF MICHIGAN,
Respondent.

Case No. [21-cv-05026-JST](#)

ORDER OF TRANSFER

On June 29, 2021, Petitioner filed a pleading titled “Petition for Relief,” which the Court construes as an attempt to file a petition for a writ of habeas corpus under 28 U.S.C. § 2254. Petitioner is challenging his incarceration pursuant to a conviction from a Michigan state court. ECF No. 1. Petitioner is currently incarcerated in St. Louis, Michigan, which is located in Gratiot County, which lies within the venue of the Eastern District of Michigan. His conviction was obtained in Kent County, Michigan, which lies within the venue of the Western District of Michigan. 28 U.S.C. § 102. Venue for a habeas action is proper in either the district of confinement or the district of conviction. 28 U.S.C. § 2241(d). Here, Petitioner’s conviction was obtained in the Western District of Michigan, and he is incarcerated in the Eastern District of Michigan. Venue properly lies in the Western District of Michigan and not in this one. *See* 28 U.S.C. § 1391(b). Accordingly, this case is TRANSFERRED to the United States District Court for the Western District of Michigan. *See* 28 U.S.C. § 1406(a).

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The Clerk shall transfer the file herewith.

IT IS SO ORDERED.

Dated: July 2, 2021



JON S. TIGAR
United States District Judge